

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on State, Veterans, & Military Affairs.

SB19-185 be amended as follows:

- 1 Amend printed bill, page 4, line 15, strike "18-3-503, **add** (3)" and  
2 substitute "**add** 18-7-209".
- 3 Page 4, strike lines 17 and 18 and substitute:  
**"18-7-209. Immunity from prostitution-related offenses - victims - human trafficking of a minor for involuntary servitude - human trafficking of a minor for sexual servitude. IF".**
- 7 Page 4, line 21, strike "18-7-203,".
- 8 Page 4, strike lines 24 and 25 and substitute "SERVITUDE, PURSUANT TO  
9 SECTION 18-3-503 (2), OR HUMAN TRAFFICKING OF A MINOR FOR SEXUAL  
10 SERVITUDE, PURSUANT TO SECTION 18-3-504 (2), AT THE TIME OF THE  
11 OFFENSE BEING CHARGED, THE MINOR IS IMMUNE FROM CRIMINAL".
- 12 Page 4, line 26, strike "OFFENSE." and substitute "CHARGES.".
- 13 Page 5, line 19, strike "(a)".
- 14 Page 5, strike lines 25 through 27.
- 15 Page 6, strike lines 1 through 6.
- 16 Page 6, line 7, strike "18-1-708.5" and substitute "18-1-713".
- 17 Page 6, line 9, strike "**18-1-708.5.**" and substitute "**18-1-713.**"
- 18 Page 6, strike line 11 and substitute "(1) EXCEPT AS PROVIDED IN SECTION  
19 18-7-209,".
- 20 Page 6, line 14, strike "WAS:" and substitute "WAS, AT THE TIME OF THE  
21 OFFENSE:".
- 22 Page 6, strike lines 24 through 27.
- 23 Page 7, strike lines 1 through 8 and substitute "**servitude - provision of services - reporting.** IF A LAW ENFORCEMENT OFFICER ENCOUNTERS A  
25 PERSON WHO".
- 26 Page 7, line 11, strike "18-7-203,".

1 Page 7, after line 22 insert:

2       **"SECTION 7.** In Colorado Revised Statutes, 18-7-201.3, **repeal**  
3 (1) as follows:

4       **18-7-201.3. Affirmative defense - human trafficking -**  
5 **expungement of record protective order - definitions.** (1) A person  
6 charged with prostitution, as described in section 18-7-201 or any  
7 corresponding municipal code or ordinance, for an offense committed on  
8 or after July 1, 2015, which offense was committed as a direct result of  
9 being a victim of human trafficking, may assert as an affirmative defense  
10 that he or she is a victim of human trafficking as defined in subsection (4)  
11 of this section. To assert the affirmative defense pursuant to this  
12 subsection (1), the person charged with the offense must demonstrate by  
13 a preponderance of the evidence that he or she was a victim of human  
14 trafficking at the time of the offense. An official determination or  
15 documentation is not required to assert an affirmative defense pursuant  
16 to this subsection (1), but official documentation from a federal, state,  
17 local, or tribal government agency indicating that the defendant was a  
18 victim at the time of the offense creates a presumption that his or her  
19 participation in the offense was a direct result of being a victim."

20       Renumber succeeding sections accordingly.

\*\*\* \* \* \* \*